

1 THE HONORABLE ROBERT S. LASNIK

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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

9 KRISTINA CHETWOOD, and SANDRA
10 CASTELLON-GONZALEZ, individually,
and on behalf of others similarly situated,

11 Plaintiffs,

12 v.

13 T- MOBILE USA, INC.

14 Defendant.

No. 2:19-cv-00458-RSL

**STIPULATED MOTION AND
ORDER TO MODIFY MINUTE
ORDER SETTING TRIAL DATES &
RELATED DATES (DOCUMENT
44)**

15 **STIPULATION**

16 WHEREAS, the Court entered the *Order Granting in Plaintiffs' Unopposed Motion*
17 *for Preliminary Approval of Class/Collective Action Settlement, Approval of Class Notice,*
18 *and Setting Final Approval Hearing* (Document 100) on June 1, 2021 (the "Order").

19 WHEREAS, the Order provided for preliminary approval of the parties' class and
20 collective action settlement agreement (the "Settlement") and, *inter alia*, established various
21 deadlines leading up to a hearing for final approval of the settlement on October 22, 2021,
22 where the parties will present a final judgment to the Court for its approval and entry.

23 WHEREAS, the Court's Order did not expressly strike or stay the Court's earlier
24 *Minute Order Setting Trial Date & Related Dates* (Document 44) (the "Case Scheduling
25 Order").

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**STIPULATED MOTION AND ORDER TO MODIFY
MINUTE ORDER SETTING TRIAL DATE &
RELATED DATES (DOCUMENT 44) - 1**
No. 2:19-cv-00458-RSL

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1 WHEREAS, in connection with the Settlement, the parties had previously filed on
2 May 21, 2021, a *Stipulation and Proposed Order to File First Amended Complaint, Pursuant*
3 *to Fed. R. Civ. P. 15 and Local Rule 15* (Document 93), notwithstanding the fact that the
4 deadline in the Case Schedule for amending pleadings was March 7, 2021. The Court entered
5 the proposed order (Document 95) to allow the filing of the First Amended Complaint and
6 Plaintiffs filed the amended pleading (Document 97) on May 18, 2021.

7 WHEREAS, given the Settlement and the Court's preliminary approval of the same,
8 the parties have reached an agreement to make this stipulated motion to the Court to strike the
9 current deadlines set forth in the Case Scheduling Order and to allow T-Mobile to file an
10 answer to the amended pleading within five (5) days following the Court's entry of the
11 proposed order provided with this Motion.

12 The parties therefore agree and stipulate as follows:

13 1. The current Case Scheduling Order should be struck and all case schedule
14 deadlines otherwise set by applicable Court rules suspended, given the parties' Settlement and
15 the Court's Order providing preliminary approval of the same and setting forth key dates in
16 connection with the proposed Settlement;

17 2. T-Mobile should be allowed to file an answer to the Plaintiff's First Amended
18 Complaint within five (5) days after entry by the Court of the order requested by the parties in
19 this Motion.

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1 DATED this 22nd day of June, 2021.

2 Presented by

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**STIPULATED MOTION AND ORDER TO MODIFY
MINUTE ORDER SETTING TRIAL DATE &
RELATED DATES (DOCUMENT 44) - 3**

No. 2:19-cv-00458-RSL

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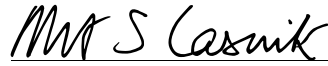
1 **ORDER**

2 Having considered the foregoing, IT IS HEREBY ORDERED as follows:

- 3 1. The deadlines identified in the Case Scheduling Order (Document 44) are
4 hereby struck and all case schedule deadlines otherwise set by Court rule are
5 suspended with the exceptions of the dates set by the Court's Order providing
6 preliminary approval of the Settlement (Document 100). If the Settlement
7 does not become final and it later becomes necessary to set a trial date and
8 other related dates in this matter, the Court will hold a scheduling conference
9 with the parties to establish a new case schedule; and
10 2. T-Mobile may file an answer to the First Amended Complaint within five (5)
11 days following the date of this order.

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13 IT IS SO ORDERED.

14 DATED this 24th day of June, 2021.

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18 Hon. Robert S. Lasnik
19 United States District Judge
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